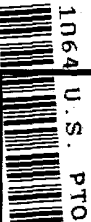


12/06/01



12-18-01

AlBoxSeq

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Attorney Docket No.	GZ 2101.20
First Inventor	Charles A. Nicolette
Title	Compounds for Therapy and Diagnosis and Methods for Using Same
Express Mail Label No.	EV 054 695 045 US

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Certificate of Mailing by "Express Mail"

Express Mail Label No.: **EV 054 695 045 US**

Date of Deposit: **December 6, 2001**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231

Signature:
Mary R. Zimmerman

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS Commissioner for Patents
TO: Box Patent Application
Washington DC 20231

- 1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing.)
- 2. ☒ Specification [Total Pages 70]
(preferred arrangement as set forth below)
 - Descriptive Title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed Sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- 3. ☒ Drawing(s) (35 U.S.C 113) [Total Sheets]
- 4. ☒ Oath or Declaration [Total Pages 2]
 - a. ☒ Newly executed (original or copy) - unsigned
 - b. ☐ Copy from a prior application (37 C.F.R. §1.63(d))
(for continuation/division with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)

- 5. ☐ Microfiche Computer Program (Appendix)
- 6. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☒ Computer Readable Copy
 - b. ☒ Paper Copy (identical to computer copy)
 - c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- 7. ☐ Assignment Papers (cover sheet & document(s))
- 8. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
- 9. ☐ English Translation Document (if applicable)
- 10. ☐ Information Disclosure Statement PTO-1449
☐ Copies of IDS Citations
- 11. ☐ Preliminary Amendment
- 12. ☒ Return Report Postcard (MPEP 503)
- 13. ☐ Small Entity Statement
☐ Statement filed in prior application, status still proper
- 14. ☐ Certified Copy of Priority Document(s)
- 15. ☐ Other:

16. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09 /870,216

Prior application information: Examiner: **Not Yet Assigned** Group Art Unit: **1653**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

McCutchen Doyle Brown & Enersen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067

Telephone: (650) 849-4950
Facsimile: (650) 849-4800

By:
Antoinette F. Koncki
Registration No. 34,202
Date: Dec. 6, 2001

**FEE TRANSMITTAL
FOR FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT**(\$)**902.00**Complete if Known**Application Number **Not Yet Assigned**Filing Date **December 6, 2001**First Named Inventor **Charles A. NICOLETTE**Examiner Name **Not Yet Assigned**Group Art Unit **Not Yet Assigned**Attorney Docket No **GZ 2101.20****METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.

Deposit
Account
Number

50-1189

Deposit
Account
Name

McCutchen Doyle Brown & Enersen LLP

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) **(\$)**740**EXTRA CLAIM FEES**

Total Claims	29	- 20** =	9	x	18	=	\$162
Independent Claims	3	- 3** =	0	x		=	\$

Multiple Dependent

= \$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) **(\$)**162

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	330	219	160	Notice of Appeal	
120	330	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**(\$)**0**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Antoinette F. Koski

Registration No
(Attorney/Agent)

34,202

Telephone

(650) 849-4950

Signature

Date

December 6, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application for:

Charles A. Nicolette

Serial No: Not Yet Assigned

Filing Date: December 6, 2001

Title: COMPOUNDS FOR THERAPY AND
DIAGNOSIS AND METHODS FOR
USING SAME

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

STATEMENT REGARDING SEQUENCE LISTING
UNDER 37 C.F.R. §§ 1.821-1.825

Commissioner for Patents
Washington, D.C. 20231


Dear Sir:

The Applicant hereby declares that the content of the computer-readable copy of the Sequence Listing furnished herewith is the same as the written copy of the Sequence Listing concurrently filed today with the above-identified application.

Respectfully submitted,

Dated: December 6, 2001

By:


Antoinette F. Konski
Reg. No. 34,202

McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Telephone: (650) 849-4950
Telefax: (650) 849-4800